

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA – NORTHERN DIVISION**

TESORO REFINING & MARKETING
COMPANY LLC, a Delaware limited liability
company,

Plaintiff,

v.

ALANDDON LLC, a Nevada limited liability
company; KIM FIEGEHEN, as Guardian ad
Litem for DONALD A. LEHR, individually;
VALARIE M. LEHR, individually; and KIM
FIEGEHEN, as Guardian ad Litem, for ALLAN
G. FIEGEHEN, individually.

Defendants.

CASE NO.: 3:19-cv-00449-LRH-WGC

**ORDER TO
EXTEND DEADLINE TO FILE
RESPONSE TO DEFENDANTS' MOTION
FOR PARTIAL SUMMARY JUDGMENT
(ECF No. 46) – SIXTH REQUEST**

Plaintiff TESORO REFINING & MARKETING COMPANY LLC (“Tesoro”), by and through its attorneys of record, the law firm of LITCHFIELD CAVO LLP, and ALANDDON LLC, VALARIE M. LEHR, and KIM FIEGEHEN, as Guardian Ad Litem, for ALLAN G. FIEGEHEN and DONALD A. LEHR (collectively referred to as “Defendants”) by and through their attorneys of

1 record, the law firm of ALLISON MACKENZIE, LTD., do hereby stipulate and agree as follows:

2 1. Plaintiff filed its first amended complaint on November 15, 2019 (ECF No. 17).

3 2. Defendants filed their answer to the amended complaint on May 29, 2020 (ECF 32).

4 3. The current deadlines, pursuant to the stipulated discovery plan and scheduling order –
5 fourth request are: Discovery Cut-Off – June 14, 2021; Amend the pleading or add parties – February
6 26, 2021; Initial Expert Disclosure: February 14, 2021; Rebuttal Expert Disclosure: March 15, 2021;
7 Dispositive Motion Deadline: July 19, 2021 and Joint Pre-Trial Order: 30 days after court’s decision
8 on dispositive motion(s) on file.

9 4. On December 23, 2020, Defendants filed their Motion for Partial Summary Judgment
10 on Plaintiff’s Second Claim for Relief (Breach of Contract against Guarantors)(the “MPSJ”)(ECF No.
11 46).

12 5. Plaintiff’s response to Defendants MPSJ is due July 16, 2021 pursuant to Court Order
13 (ECF No. 79).

14 6. On January 19, 2021, Defendants filed their Motion for Protective Order that Allan G.
15 Fiegehen Not Be Deposed (ECF No. 50) and Motion for Protective Order that Donald Lehr Not Be
16 Deposed (ECF No. 51) (the “Motions for Protective Orders”).

17 7. Plaintiff filed its response to the Defendants’ Motions for Protective Orders ECF No.
18 50 and ECF No. 51 on March 16, 2021.

19 8. Defendants filed their Reply in Support Motions for Protective Orders on March 23,
20 2021. (ECF 64 and 65).

21 9. The hearing for Motions for Protective Orders was held on April 15, 2021. The court
22 denied Defendants’ Motions for Protective Orders ECF No. 50 and ECF No. 51 and will allow Plaintiff
23 to depose Mr. Fiegehen and Mr. Lehr subject to certain limitations as agreed upon at the April 15,
24 2021 hearing. (Minutes of Proceedings, ECF 69).

25 10. Defendants’ counsel agreed that Plaintiff’s response to Defendants’ MPSJ (ECF No.
26 46) shall be not be due until after the depositions of Mr. Fiegehen and Mr. Lehr are conducted.

27 11. Mr. Fiegehen was deposed on June 9, 2021 and Mr. Lehr was deposed on June 10,
28 2021.

12. Both counsel are continuing to work on a stipulated set of facts for the purposes of the Opposition to Defendants' MPSJ (ECF No. 46) and for trial. Counsel require more time to finalize the stipulated set of facts and have agreed that Plaintiff's response to Defendants' MPSJ will be due no later than July 30, 2021.

13. This is Plaintiff's sixth request for an extension in regard to Defendants' MPSJ (ECF No. 46). This extension will not affect the current deadlines.

IT IS SO STIPULATED.

Dated: July 16, 2021

LITCHFIELD CAVO LLP

By: /s/ Alicia A. Hagerman, Esq.
GRIFFITH H. HAYES, ESQ.
Nevada Bar No. 7374
ALICIA A. HAGERMAN, ESQ.
Nevada Bar No. 10891
3993 Howard Hughes Parkway, Suite 100
Las Vegas, Nevada 89169
T: 702-949-3100/F: 702-916-1779
Hayes@LitchfieldCavo.com
Hagerman@LitchfieldCavo.com
Attorneys for Plaintiff

Dated: July 16, 2021


ALLISON MacKENZIE, LTD.

By: /s/ Ryan Russell, Esq.
RYAN RUSSELL, ESQ.
Nevada Bar No. 8646
402 North Division Street
Carson City, Nevada 89703
T: 775-687-0202/F: 775-882-7918
rrussell@allisonmackenzie.com
Attorneys for Defendants

ORDER

IT IS SO ORDERED that the deadline for Plaintiff to file its response to Defendants' MPSJ (ECF No 46) is **July 30, 2021**.

Date: July 16, 2021.



LARRY R. HICKS
UNITED STATES DISTRICT JUDGE